

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2015-111**

3 **INTRODUCED BY:**

4
5 Councilor Carmichael A. Dominguez

6 Councilor Joseph M. Maestas

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8
9
10 **A RESOLUTION**

11 **AMENDING RESOLUTION 2015-111 REGARDING CITY OF SANTA FE LEGISLATIVE**
12 **PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE**
13 **DURING THE 52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,**
14 **2016.**

15
16 **WHEREAS**, the Governing Body adopted Resolution 2015-111 on December 9, 2015; and

17 **WHEREAS**, the Governing Body desires to amend Resolution 2015-111 to include
18 additional priorities for the 2016 legislative session regarding senior services requests and for “My
19 Brother’s Keeper” initiative (a citywide data tracking and reporting hub); and

20 **WHEREAS**, the 30 day session of the 2016 Legislative Session begins on January 19, 2016;
21 and

22 **WHEREAS**, on August 13, 2014 the Governing Body adopted Resolution 2014-67 which
23 established the 2016-2020 Infrastructure Capital Improvements Plan (2016-2020 ICIP) and priorities
24 for the financing of City of Santa Fe public capital projects; and

25 **WHEREAS**, the Governing Body desires to establish City of Santa Fe legislative priorities to

1 be considered by the State Legislature based on the 2016-2020 ICIP; and

2 **WHEREAS**, the Governing Body has other legislative priorities to be considered by the
3 State Legislature.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
5 **CITY OF SANTA FE** that the Governing Body hereby establishes the following legislative funding
6 priorities for consideration by the New Mexico Legislature, during the 2016 Legislative Session.
7 **Funding is requested, in the total amount of \$1,500,000 for the following Citywide Streets,**
8 **Parks, Public Safety and Facility Improvements, as identified in the City’s 2016-2020 ICIP:**

9 1. **Project:** Airport Terminal Building Expansion Phase IIA.

10 **Amount Requested:** \$1,500,000

11 **Project Description:** Continued expansion and improvement of the airport terminal
12 building at the Santa Fe Municipal Airport.

13 **BE IT FURTHER RESOLVED** that the Governing Body hereby establishes the following
14 priority *water projects* for consideration by the New Mexico Legislature, during the 2016 Legislative
15 Session and subsequently by the New Mexico Water Trust Board:

16 1. **Project:** Water Trust Board Application.

17 **Amount Requested:** \$1,040,000

18 **Project Description:** Funding the Water Division’s advanced metering infrastructure
19 system and implementation project.

20 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,
21 during the 2016 Legislative Session, enact legislation pursuant to the following City of Santa Fe
22 resolutions of the Governing Body:

23 **Section 1. City of Santa Fe Resolution No. 2015-75:**

24 Enactment of legislation amending NMSA 1978, § 72-1-9 preservation of
25 municipal, county, and state university water supplies.

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- Section 2. City of Santa Fe Resolution No. 2015-76:**
Enactment of legislation amending NMSA 1978, § 72-6-4 lessee's application, use before approval.
- Section 3. City of Santa Fe Resolution No. 2015-77:**
Enactment of legislation amending the OSE's hearing procedures, NMSA 1978, § 72-7-1 and NMSA, § 72-2-16.
- Section 4. City of Santa Fe Resolution No. 2015-78:**
Enactment of legislation amending NMSA 1978, § 72-12-3(D) and 72-5-5(B), to define the standing of protestants.
- Section 5. City of Santa Fe Resolution No. 2015-79:**
Enactment of legislation amending NMSA 1978, § 72-12-24 supplemental well, and § 72-12-22, replacement wells.
- Section 6. City of Santa Fe Resolution No. 2015-109:**
Enactment of legislation for gun purchase reform from the state legislature during the 2016 legislative session.
- Section 7. City of Santa Fe Resolution No. 2014-45:**
Enactment of legislation on tax reform initiatives to bring balance, equity and financial stability to municipal governments;
- Section 8. City of Santa Fe Resolution No. 2014-55:**
Enactment of legislation that would remove the taxing limitations currently imposed on home rule municipalities;
- Section 9. City of Santa Fe Resolution No. 2014-56:**
Enactment of a municipal telecommunications tax act that would authorize municipalities to collect from telecommunications providers a municipal telecommunications tax on the telecommunications provider's gross receipts

1 from telecommunications service.

2 **Section 10. City of Santa Fe Resolution No. 2014-68:**

3 Enactment of legislation that would cap interest and fees on non-bank
4 lending institutions in New Mexico.

5 **Section 11. City of Santa Fe Resolution No. 2014-69:**

6 Enactment of a state standard for quality of care through prescribed
7 minimum nurse staffing levels, and in particular through minimum registered
8 nurse staffing levels.

9 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,
10 during the 2016 Legislative Session, enact legislation in accordance with the following resolutions of
11 the New Mexico Municipal League:

12 **Section 1. New Mexico Municipal League Resolution No. 2014-32 – Concerning**
13 **EMS Funding**

14 The New Mexico Municipal League supports an increase to the EMS Fund
15 Act for use by local EMS providers in the state of New Mexico

16 **Section 2. New Mexico Municipal League Resolution No. 2014-34 – Concerning the**
17 **Endorsement of Efforts to Maintain the Amtrak Southwest Chief**
18 **Passenger Service Between Lamy/Santa Fe, New Mexico and Newton,**
19 **Kansas**

20 The New Mexico Municipal League calls upon the members of the
21 legislature of the State of New Mexico to support continuation of Amtrak
22 Southwest Chief route.

23 **Section 3. New Mexico Municipal League Resolution No. 2014-35 – Concerning the**

24 Establishment of a State Transit Fund to Support Municipal and Regional
25 Transit Capital and Operational Needs

1 The New Mexico Municipal League supports the efforts of the New Mexico
2 legislature to enhance revenue for investment in transportation infrastructure
3 across the state to include investment in public transportation fleets and
4 associated public transportation infrastructure.

5 **Section 4. New Mexico Municipal League Resolution No. 2014-40 – Concerning**
6 **Lodgers Tax Audits Compliance**

7 The New Mexico Municipal League requests that the NM Legislature in its
8 next session to find a means for Counties and Municipalities to penalize
9 nonconformance with the required audit.

10 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,
11 during the 2016 Legislative Session, enact an Amendment to the Hold Harmless provision that
12 would:

- 13 **2. Or, in the alternative, amend state law to clarify that counties that impose the**
14 **permitted 3/8% GRT are only authorized to do so within the county**
15 **jurisdictional boundaries located outside the municipal jurisdictional**
16 **boundaries.** HB 641, as a way to compensate for the lost revenue caused by the
17 phase out of the hold harmless distribution, also authorized any county and
18 municipality to impose an excise tax not to exceed a maximum of 3/8% of the gross
19 receipts of any person engaging in business in the municipality. Pursuant to HB 641,
20 if a county and a municipality located solely within the county, both choose to each
21 impose the full 3/8%, then municipal residents would end up paying the increase of
22 6/8 or 3/4% of the gross receipts of any person engaging in business in the
23 municipality. However, with this alternative amendment to HB 641, the municipality
24 residents at most would end up paying an increase of 3/8% of gross receipts tax
25 imposed on businesses in the municipality.

1 **BE IT FURTHER RESOLVED** that the Governing Body requests that the following items
2 be monitored by the City's lobbyist during the 2016 Legislative Session:

3 **Section 1. Measures that increase availability of alcohol:**

4 A. Measures that will increase density of alcohol outlets through:

- 5 1) The "Main Street" initiative that would allow currently
6 licensed establishments to obtain "satellite", or additional
7 licenses for only \$50,000.
8 2) A revision in the state liquor license quota allowing more
9 licenses per population or geographic area.
10 3) Allowing for new types of liquor licenses.

11 B. Measures that increase the hours of operation of liquor
12 establishments.

13 **Section 2. Measures that pertain to alcohol tax that increase revenue for
14 prevention and treatment, such as:**

- 15 A. Creating an alcohol excise tax that will fund the prevention of and
16 the treatment for alcohol abuse and addiction.
17 B. Changing the percent of the liquor tax dedicated to the L-DWI fund.

18 **Section 3. Measures that change penalties for DWI and the Liquor Control Act
19 such as:**

- 20 A. Decreasing the stringency of current laws regarding sales of alcohol
21 to minors. and sales to intoxicated persons.
22 B. Decrease the severity of current DWI laws.

23 **Section 4. Measures that could change local zoning control or authority (i.e., Bed
24 and Breakfast Liquor License).**

25 **Section 5. Measures that would educate the legislature, their staff and executive**

1 branch on the financial and public health impacts of alcohol use and
2 abuse.

3 **BE IT FURTHER RESOLVED** that Resolution 2015-111 is hereby amended to include the
4 following legislative priorities for the 2016 Legislative session:

5 1. **Project:** My Brother's Keeper initiative.

6 **Amount Requested:** \$80,000 (General Fund Operating Money)

7 **Project Description:** Citywide data tracking and reporting hub.

8 2. **Project:** Senior services requests.

9 **Amount Requested:** \$1,388,457 (General Obligation Bond)

10 **Project Description:**

11 Mary Ester Gonzales (MEG)-Code Parking Lot Project Phase II \$199,998

12 MEG-Code Roof Repairs \$ 36,828

13 MEG-Computer Lab Equip/Furnishings \$ 70,313

14 MEG-Outdoor Improvements \$ 58,240

15 MEG-Hubscrub Cleaning/Infection (Durable Equip) \$ 17,292

16 Program Vehicle Replacement \$585,581

17 Pasatiempo-CodeFacility Improvements \$198,582

18 Luisa-Code Facility Improvements \$197,695

19 Luisa Computer Equipment/Furnishings \$ 23,928

20 **BE IT FURTHER RESOLVED** that the Governing Body endorses the resolution of the
21 New Mexico City Management Association adopted on December 4, 2015, and hereby requests the
22 assistance of the City of Santa Fe Legislative Delegation to advance formal dialogue for the
23 development and implementation of policies for the increased accuracy, timeliness, and transparency
24 of gross receipts tax information and service provision.

25 **BE IT FURTHER RESOLVED** that through the Santa Fe City Council Committee and City

1 Council process, general operating fund and other statutory changes may be established for
2 consideration by the State Legislature.

3 **BE IT FURTHER RESOLVED** that the City of Santa Fe lobbying team is directed to work
4 with the Santa Fe Legislative Delegation on any unencumbered capital outlay funds to be used
5 towards identified City of Santa Fe projects.

6 **BE IT FURTHER RESOLVED** that while this resolution represents a majority of the intent
7 of the Mayor and City Council as to 2016 New Mexico legislative priorities, other timely priorities
8 may be identified and forwarded to the City's lobbying team for action.

9 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
10 resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

11 PASSED, APPROVED, and ADOPTED this ____ day of _____, 2015.

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13 _____
14 JAVIER M. GONZALES, MAYOR

15 ATTEST:

16
17 _____
18 YOLANDA Y. VIGIL, CITY CLERK

19 APPROVED AS TO FORM:

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21 _____
22 KELLEY A. BRENNAN, CITY ATTORNEY

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24
25 *M/Legislation/Resolutions 2015/Legislative Priorities (2016) Update*

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X
(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AMENDING RESOLUTION 2015-111 REGARDING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016.

Sponsor(s): Mayor Gonzales

Reviewing Department(s): City Manager

Persons Completing FIR: Brian Snyder Date: 12/14/15 Phone: 955-6848

Reviewed by City Attorney:  Date: 12/14/15
(Signature)

Reviewed by Finance Director:  Date: 12/14/15
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

This resolution details the capital project priorities for which the City of Santa Fe requests the State of New Mexico fund through the annual capital outlay legislation.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: 

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____			\$ _____				

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____		\$ _____			

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

If approved by the Legislature, funding will be available for multiple projects throughout the City, with funding provided through the State.

Section D. **General Narrative**

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

No.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The City of Santa Fe would not have legislative priorities to present to the New Mexico Legislature at the 52nd Legislature, 2nd Session 2016 and would therefore not benefit from any potential financial assistance provided through the legislative capital outlay process.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

With approval of the resolution, the city of Santa Fe would be able to establish legislative priorities for the upcoming legislative session in 2016. The potential for financial assistance through the state level would be beneficial to projects advantageous to our community.
